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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,494	12/30/2003	Russell E. Blette	59375US002	8744
32692	7590 08/08/2005		EXAMINER	
3M INNOV	ATIVE PROPERTII	HWU, DAVIS D		
ST. PAUL, MN 55133-3427			ART UNIT	PAPER NUMBER
			3752	

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Total Add Examiner Art Unit 3752				<u> </u>				
Examiner		Application No.	Applicant(s)					
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE of this communication appears on the cover sheet with the correspondence address ~ Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Bet 81k (9) MONTHS from the molling date of this communication. If the period for reply secilide above is less than theiry (50) days, as reply within the statistory minimum of theiry (50) days will be considered limity. If the period for reply secilide above is less than theiry (50) days, as reply within the statistory minimum of theiry (50) days, as a limit of the period for reply secilide above is less than theiry (50) days, as reply within the statistory minimum of theiry (50) days will be considered limity. If the period for reply secilide above is less than theiry (50) days, as reply within the statistory minimum of theiry (50) days will be considered limity. If the period for reply secilide above is less than theiry (50) days, as reply the limits of the statistic translation. If the period for reply secilide above is less than theiry (50) days, as reply the limits of the statistic translation. If the period for reply secilided and the second and th	Office Action Comments	10/748,494	BLETTE ET AL.					
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DETAILED ACTION

Claim Objections

1. Claim 4 is objected to as being incomplete and incomprehensible. Claim 4 has not been further examined on its merits.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 1 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Svendsen.

Svendsen shows liquid spray gun comprising:

a body assembly including a nozzle portion 22 with an outlet end, said nozzle portion having a liquid passageway extending from an inlet end to an outlet end opening through the outlet end of the nozzle portion, the body assembly having a first air passageway 84 extending from an inlet end to an outlet end at the outlet end of the nozzle portion, the outlet end of the first air passageway extending around the outlet end of the liquid outlet passageway and being shaped to direct air under greater than atmospheric pressure against liquid flowing out of the outlet end of the liquid outlet passageway to propel the liquid away from the outlet end of the nozzle portion while shaping the liquid into a generally conical stream about an axis,

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the body assembly including horns 42 projecting past the outlet end of the nozzle on opposite sides of said axis, the body assembly having a second air passageway 84 extending from an inlet end to outlet passageways and apertures 46 and 47 spaced along the horns from the outlet end of the nozzle and facing opposite sides of the axis, the outlet passageways and apertures being shaped to direct air under greater than atmospheric pressure flowing through the second air passageway against opposite sides of a stream of liquid formed by air flowing through the first air passageway to reshape that stream of liquid into a wide elongate stream, the liquid spray gun further including a platform portion 10 having through air distribution passageways including an inlet opening adapted to be connected to a supply of air under greater than atmospheric pressure, first and second air outlet openings, means for separately regulating the flow of air through the first and second air outlet openings of the air distribution passageways, and manually operated means for stopping or allowing flow of air through said outlet openings of the air distribution passageways, and the platform portion and said nozzle portion having manually operable means for releasably mounting said nozzle portion on said platform portion with the first and second air outlet openings of the air distribution passageways communicating with the inlet ends of the first and second passageways.

Claim Rejections - 35 USC § 103

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Svendsen in view of Hartle.

Hartle teaches a spray gun formed of polymeric materials to provide a lightweight spray gun. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have made the device of Svendsen from polymeric materials as taught by Hartle to provide a lightweight spray gun.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Svendsen.

The apertures being non-circular would have been an obvious matter of design choice since such a modification would have a mere change in the shape of a component which is generally recognized as being within the level of ordinary skill in the art.

Allowable Subject Matter

7. Claims 2, 3, 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

- 8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patent to Sickles is pertinent to Applicant's invention.
- 9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davis D. Hwu whose telephone number is 571-272-4904. The examiner can normally be reached on 8:00-4:30. If attempts to reach the

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examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel can be reached on 571-272-4919. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Davis Hwu

DAVIS HWU PRIMARY EXAMINER